

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
W/S Elinor Ave., 180 ft. (+/-) * ZONING COMMISSIONER
S of c/l Alberta Avenue
28 Elinor Avenue * OF BALTIMORE COUNTY
14th Election District
6th Councilmanic District * Case No. 97-161-A
Frederick L. Sippel, Jr., et ux
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Frederick L. Sippel, Jr., and Doris L. Sippel, his wife, for that property known as 28 Elinor Avenue in the Linhigh subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.C.1 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport with a side yard setback of 6 inches in lieu of the required 7.5 ft., in a D.R.5.5 zone. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING

Date

By


MICROFILMED

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of November, 1996 that the Petition for a Zoning Variance from Sections 1B02.3.C.1 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport with a side yard setback of 6 inches in lieu of the required 7.5 ft., in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORDER RECEIVED FOR FILING
Date 11/15/96
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 13, 1996

Mr. and Mrs. Frederick L. Sippel, Jr.
28 Elinor Avenue
Baltimore, Maryland 21236

RE: Petition for Administrative Variance
Case No. 97-161-A
Property: 28 Elinor Avenue

Dear Mr. and Mrs. Sippel:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 28 ELINOR AVE
which is presently zoned DR 55

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SEC. 1B02.3.C.1 AND 301.1A

TO ALLOW AN OPEN PROJECTION ADDITION WITH A
SIDE YARD SETBACK OF 6" IN LIEU OF THE REQUIRED 7.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) SEE BACK

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MICROFILMED

Zoning Commissioner of Baltimore County

REVIEWED BY: JRF

DATE: 10-7-96

ESTIMATED POSTING DATE: 10-20-96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 161

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 28 ELINOR AVE
address

BALTO
City

MD
State

21236
Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Practical difficulty + hardship

1) Unable to Utilize Patio in the Summer
because of the Intense RAYS from the
Sun, IN Fear of SKIN Cancer

2) Sun Damage to CARs

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Fredrick L Sippel Jr
(signature)

Fredrick L Sippel Jr
(type or print name)



Doris L Sippel
(signature)

DORIS L Sippel
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of September, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Fredrick Sippel Jr

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

9/21/96

Robert E Strohm
NOTARY PUBLIC

My Commission Expires:

Robert E. Strohm, Notary Public
Baltimore County
State of Maryland
My Commission Expires: Mar. 11, 1997

ZONING Description

ZONING DESCRIPTION FOR 28 ELINOR AVE

Beginning of a point on the EAST side of

ELINOR AVE which is 24'

wide of the distance of 50' NORTH of the

centerline of the nearest improved intersecting street ALBERTA AVE

which is 24' wide Being Lot # 352.353

Block — Section # — in the subdivision of LINDAIGH

as recorded in Baltimore County Plat Book # 2 Folio 7-81

containing 7500 sq Ft. ALSO KNOWN AS 28 ELINOR AVE

and located in the 14 Election District 6 Councilmanic Dt

#161

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

026366

DATE 10-7-96 ACCOUNT P-001-615-000

AMOUNT \$ 50.00

RECEIVED FROM: SIPPEL

OIO - - VARIANCE - \$ 50.00

HEARING CASE 97-161-A

FOR:

OLANDER, MICHAEL
BA 0010-20AM10-07-96

\$50.00

VALIDATION OR SIGNATURE OF CASHIER

DESIGNATION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 97-161-A

Petitioner/Developer: _____

FREDERICK SIPPLE

Date of ~~Hearing~~ ^{CLOSING} ~~Closing~~ 11-4-96

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 28 ELINOR AVE.

BALTIMORE, MARYLAND 21236

The sign(s) were posted on OCT. 18, 1996
(Month, Day, Year)

Sincerely,

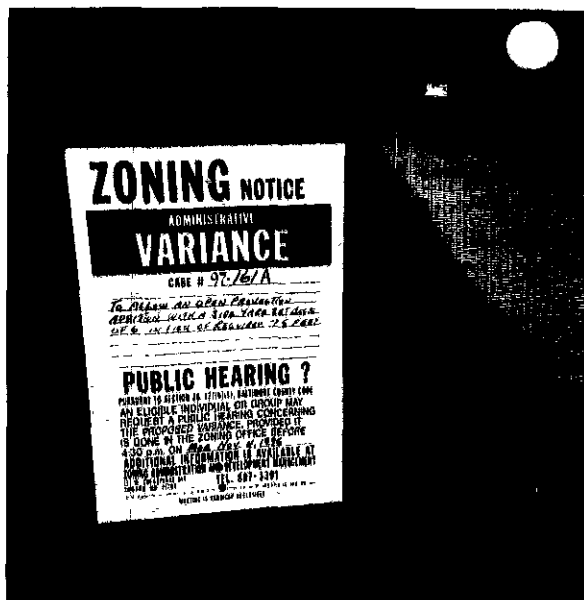
Thomas P. Ogle Sr. 10/18/96
(Signature of Sign Poster and Date)

Thomas P. OGLE SR.
(Printed Name)

325 NICHOLSON ROAD
(Address)

BALTIMORE, MARYLAND 21221
(City, State, Zip Code)

(410) 687-8405
(Telephone Number)



MICROFILMED

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-20-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-161-A

TO ALLOW AN OPEN PROJECTION ADDITION WITH A
SIDE YARD SETBACK OF 6" IN LIEU OF THE REQUIRED
7.5'

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

NOVEMBER 4, 1996

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 161

Petitioner: Fred Suppel

Location: 28 ELINOR AVE BALTO MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Fred Suppel

ADDRESS: 28 ELINOR AVE BALTO MD 21236

PHONE NUMBER: 410-661-3874

AJ:ggs

(Revised 09/24/96)

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 16, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-161-A (Item 161)

28 Elinor Avenue

W/S Elinor Avenue, 180'+/- S of c/l Alberta Avenue

14th Election District - 6th Councilmanic

Legal Owner(s): Frederick L. Sippel, Jr. and Doris L. Sippel

Post by Date: 10/20/96

Closing Date: 11/04/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Frederick and Doris Sippel

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Frederick Sippel, Jr.
28 Elinor Avenue
Baltimore, MD 21236

RE: Item No.: 161
Case No.: 97-161-A
Petitioner: Frederick Sippel, et ux

Dear Mr. and Mrs. Sippel:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 7, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: *pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 28, 1996
Item Nos. 161, 164, 165, 166, 171,
172, & 174

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/22/96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 21, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 161 166 174
162 168
163 169
164 171
165 172

RBS:sp

BRUCE2/DEPRM/TXTSBP

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 21, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167,
170, 171, 172, 173 and 174.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 157, 161, 162, 163, 165, 166, 169, 171, 172, 174

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

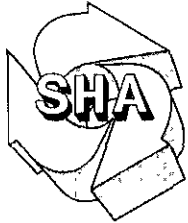
Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10-23-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 161 (JRF)


Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#161 --- JRF

1. No item number on receipt.
2. Notary section is incomplete.

#164 --- JCM

1. Need printed or typed name of second legal owner.

#165 --- MJK

1. Need someone to sign for first legal owner. Also need authorization for that person to sign.

#167 --- JRA

1. Folder has paperwork for undersized lot -- Petition says nothing about an undersized lot.
2. Notary section is incorrect.

#168 --- JRA

1. Special Exception is on wrong form - This is a Special Hearing form, not Special Exception (see top paragraph of the form).
2. Need authorization for person to sign for legal owner.

#171 --- CAM

1. Need address and telephone number for legal owner.

#174 --- JRF

1. No item number on receipt.

10/15/96

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 28 Elinor Ave.

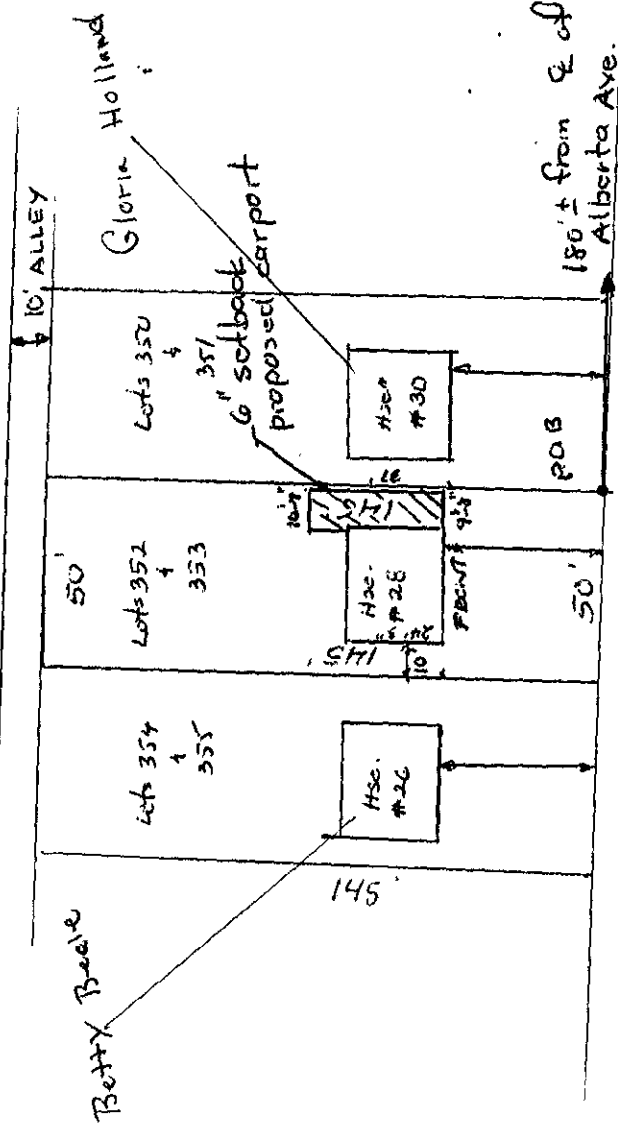
Subdivision name: Lithhigh

plat book # 2, folio # 1-31, lot # 353, section # -

OWNER: Fred Sippel, Doris Sippel

see pages 5 & 6 of the CHECKLIST for additional required information

97-161-A



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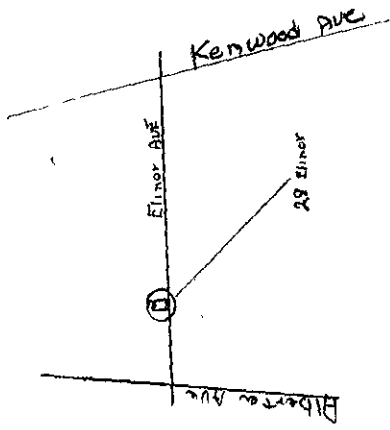


North

date: _____

prepared by: Fred Sippel

Scale of Drawing: 1" = 50'



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 14 H

Councilmanic District: C-6

1"-200' scale map#: NEG-E

Zoning: DRS-5

Lot size: 7,250 ^{acres} square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

JRF 161

PETITIONER(S) EXHIBIT ()



Side Location of carport



MICROFILMED

#161

[illegible]



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

LOCATION
OVERLEA

SHEET
MICROFILMED
NE
6-E

DATE
OF
PHOTOGRAPHY
JANUARY
1986

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Elinor Ave., 180 ft. +/-
S of c/l Alberta Avenue
28 Elinor Avenue
14th Election District
6th Councilmanic District
Frederick L. Sippel, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-161-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Frederick L. Sippel, Jr., and Doris L. Sippel, his wife, for that property known as 28 Elinor Avenue in the Linhigh subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1802.3.C.1 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport with a side yard setback of 6 inches in lieu of the required 7.5 ft., in a D.R.5.5 zone. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of November, 1996 that the Petition for a Zoning Variance from Sections 1802.3.C.1 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport with a side yard setback of 6 inches in lieu of the required 7.5 ft., in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mnn
encl.

-2-



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 13, 1996

Mr. and Mrs. Frederick L. Sippel, Jr.
28 Elinor Avenue
Baltimore, Maryland 21236

RE: Petition for Administrative Variance
Case No. 97-161-A
Property: 28 Elinor Avenue

Dear Mr. and Mrs. Sippel:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mnn
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 28 Elinor Ave
which is presently zoned DR55

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SEC. 1802.3.C.1 AND 301.1A TO ALLOW AN OPEN PROJECTION ADDITION WITH A SIDE YARD SETBACK OF 6" IN LIEU OF THE REQUIRED 7.5' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) SEE BACK

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee
Type or Print Name: Frederick L. Sippel Jr
Signature: Frederick L. Sippel Jr
Address: 28 Elinor Ave
City: Baltimore State: MD Zip Code: 21236
Attorney for Petitioner:
Type or Print Name: Doris L. Sippel
Signature: Doris L. Sippel
City: Baltimore State: MD Zip Code: 21236
Address: 28 Elinor Ave Phone No.: 641-3876
City: Baltimore State: MD Zip Code: 21236
Address: 28 Elinor Ave Phone No.: 641-3876

A Public Hearing having been requested and/or held as required by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1996, the undersigned, legal owner(s) of the property situated in Baltimore County, and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SEC. 1802.3.C.1 AND 301.1A TO ALLOW AN OPEN PROJECTION ADDITION WITH A SIDE YARD SETBACK OF 6" IN LIEU OF THE REQUIRED 7.5' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) SEE BACK

REVIEWED BY: JEP DATE: 10-7-96
ESTIMATED POSTING DATE: 10-20-96

Printed with Signpost Ink on Recycled Paper

ITEM #: 161

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 28 Elinor Ave

BALTO MD 21236
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include history or previous efforts)

Prostate difficulty + hardship

I desire to utilize patio in the summer because of the intense rays from the sun, in fear of skin cancer

I saw damage to cars

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a protesting and advertising fee and may be required to provide additional information.

Frederick L. Sippel Jr Doris L. Sippel
Signature Signature
Frederick L. Sippel Jr Doris L. Sippel
Type or Print Name Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
I HEREBY CERTIFY, this 21st day of September, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Frederick L. Sippel Jr
Signature
Frederick L. Sippel Jr
Type or Print Name

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal
this 21st day of September, 1996

My Commission Expires: Mar 11, 1997
Robert E. Strahmer, Notary Public
Baltimore County
Exp. 3/11/97
A Co. session Expires: Mar 11, 1997

ZONING Description

ZONING DESCRIPTION FOR 28 Elinor Ave

Beginning at a point on the EAST side of
ELINOR AVE which is 24'
wide of the distance of 50' NORTH of the
centerline of the nearest improved intersecting street ALBERTA AVE
which is 24' wide Being Lot # 352.353
Block --- Section # --- in the subdivision of LINHIGH
as recorded in Baltimore County Plat Book # 7 Folio 7-81
containing 7500 sq ft ALSO KNOWN AS 28 Elinor Ave
and located in the 14 Election District 6 containing

#161

BALTIMORE COUNTY, MARYLAND No. 028666
"OFFICE OF FINANCE - REVENUE DIVISION"
MISCELLANEOUS CASH RECEIPT
DATE 10-7-96 ACCOUNT 00001-612-336
AMOUNT \$ 50.00
RECEIVED FROM SIPPEL
FOR 010 - VARIANCE - 750.00
HEARING CASE 97-161-A
GLADON0091HCHRC \$50.00
SA 001020AM10-07-96
VALIDATION OR SIGNATURE OF CARRIER
DATE 10-7-96 BY VLON-G/CHRC

CERTIFICATE OF POSTING

RE: Case No.: 97-161-A

Petitioner/Developer: FREDERICK SIPPEL

Date of Posting/Posting: 11-4-96

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 28 Elinor Ave.
BALTIMORE, MARYLAND 21236

The sign(s) were posted on OCT. 18, 1996
(Month, Day, Year)

Sincerely,

Sharon Ogden 10/18/96
(Signature of Sign Poster and Date)

WILLIAM P. OGLE SC.
(Printed Name)
325 Nicholson Road
(Address)
BALTIMORE, MARYLAND 21221
(City, State, Zip Code)
(410) 687-8405
(Telephone Number)

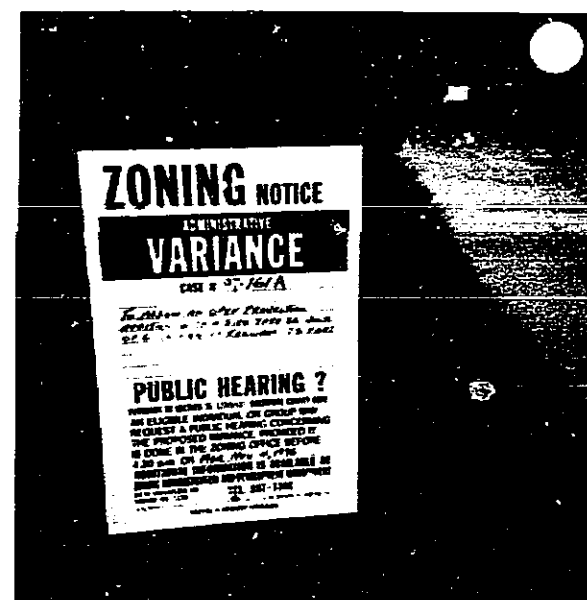


Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-20-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 97-161-A

TO ALLOW AN OPEN PROJECTION ADDITION WITH A SIDE YARD SETBACK OF 6" IN LIEU OF THE REQUIRED 7.5'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON NOVEMBER 4, 1996. ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

954 post.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 161

Petitioner: Fred Sippel

Location: 28 ELINOR AVE BALTO MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Fred Sippel

ADDRESS: 28 ELINOR AVE BALTO MD 21236

PHONE NUMBER: 410-661-3874

AJ:ggg

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 16, 1996

NOTICE OF ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-161-A (Item 161)

28 Elinor Avenue
W/S Elinor Avenue, 180'W/- 2' of 411 Albert Avenue
14th Election District - 6th Councilmanic
Legal Owner(s): Frederick L. Sippel, Jr. and Doris L. Sippel
Post by Date: 10/20/96
Closing Date: 11/04/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/she may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon

Arnold Jablon
Director

cc: Frederick and Doris Sippel

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Frederick Sippel, Jr.
28 Elinor Avenue
Baltimore, MD 21236

RE: Item No.: 161
Case No.: 97-161-A
Petitioner: Frederick Sippel, et ux

Dear Mr. and Mrs. Sippel:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 7, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/es
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 28, 1996
Item Nos. 161, 164, 165, 166, 171,
172, & 173

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE34

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: 10/24/96

DATE: 10/29/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 161 166 174
162 168
163 169
164 171
165 172

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



790 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4830

DATE: 10/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETINGS OF OCT. 21, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167,
170, 171, 172, 173 and 174.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

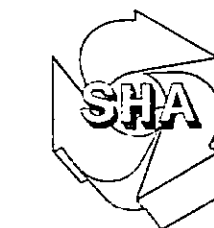
Item Nos. 157, 161, 162, 163, 165, 166, 169, 171, 172, 174

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Kern*

PK/JL

ITEM161/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 161 (JMF)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

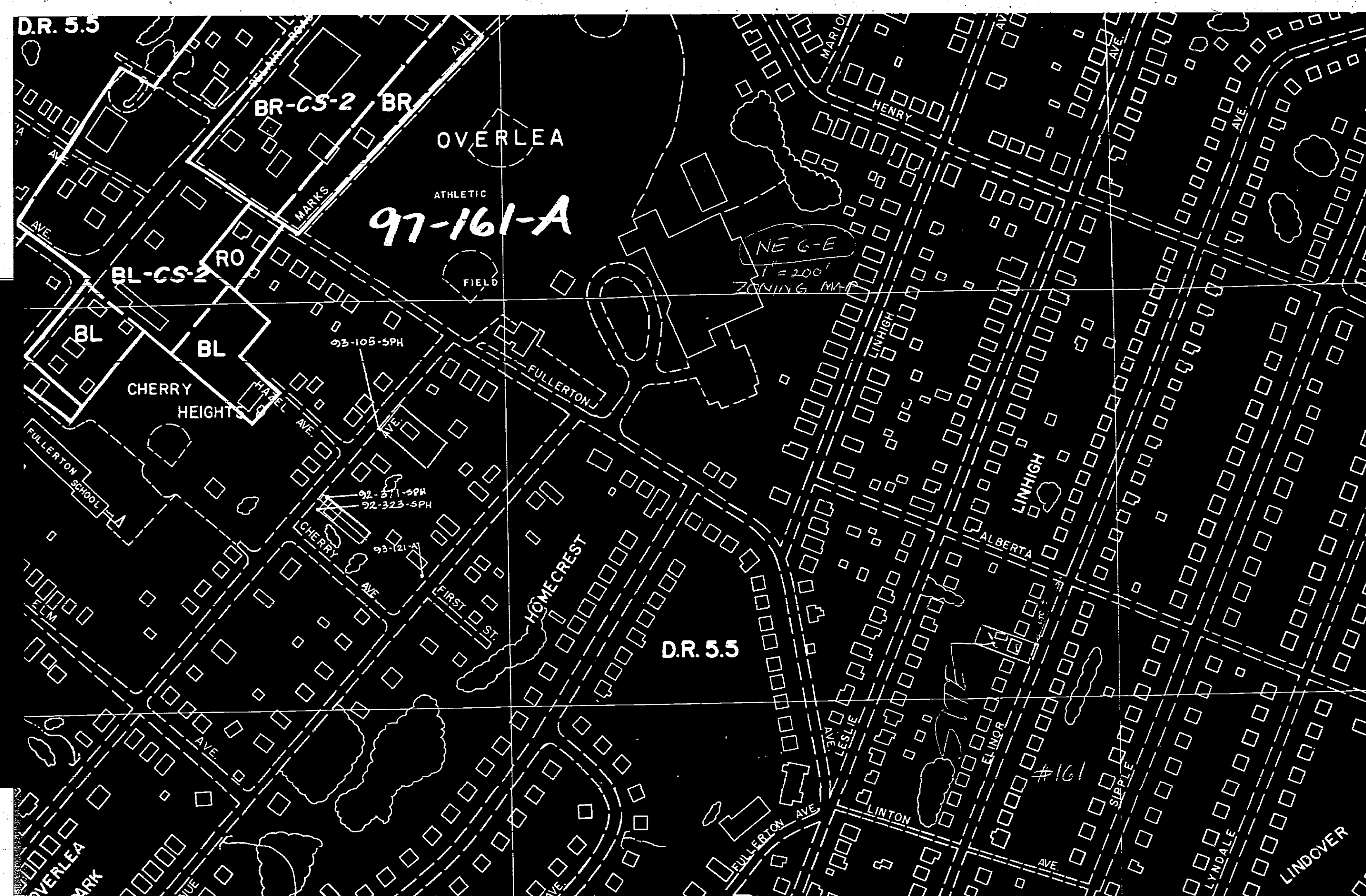
Thank you for the opportunity to review this item.

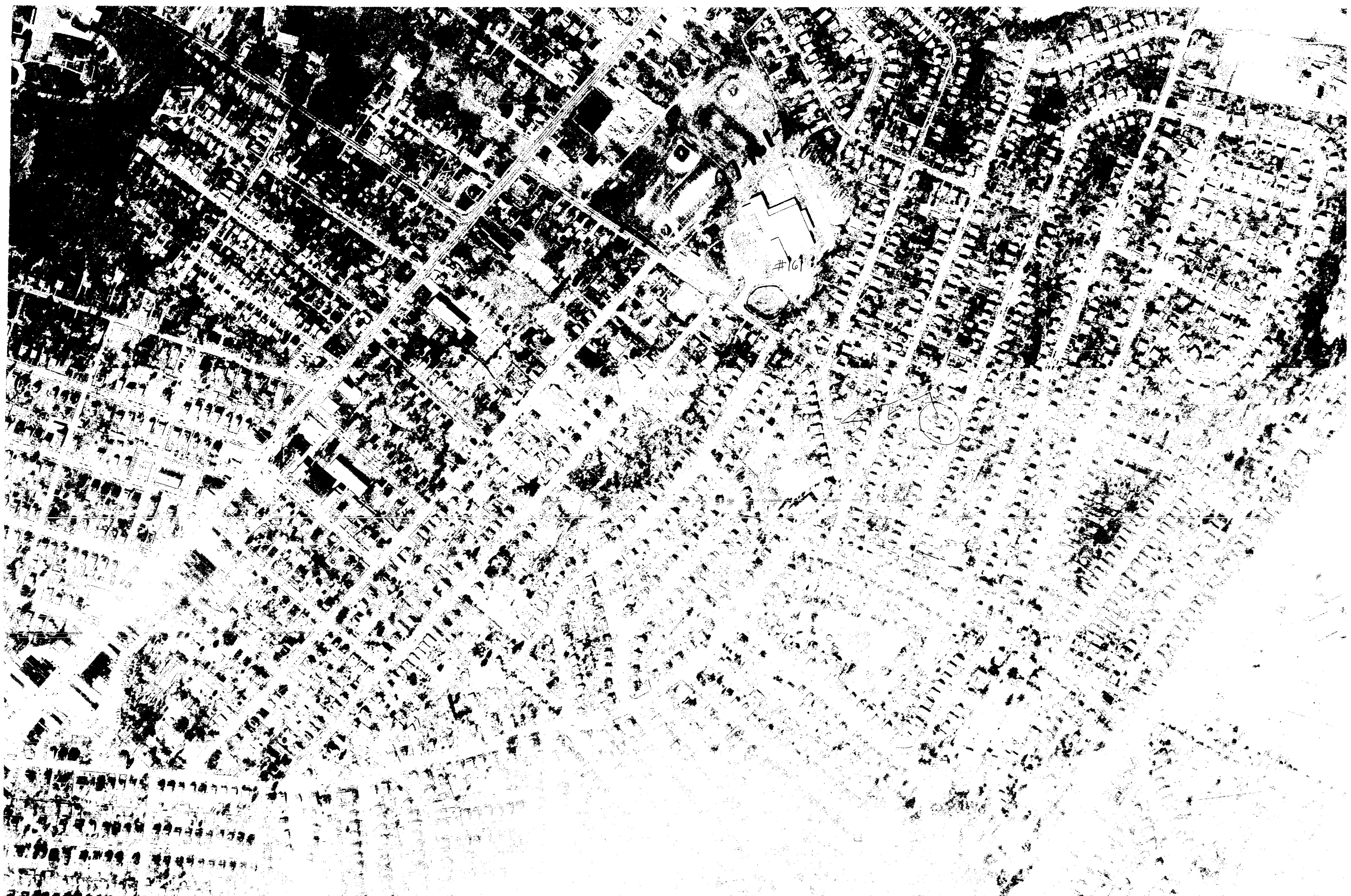
Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

OVERLEA

SHEET

NE.
6-E

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401